

SIMTEK6227

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APR 03 2003

TECHNOLOGY CENTER 2800

In re Application of  
Tadashi Takano  
Hideaki, Takahashi  
Susumu, Ando

App. No.: 09/683286  
Filed: December 10, 2001  
Conf. No.: 8443  
Title: PERMANENT MAGNET TYPE  
ROTOR AND PERMANENT  
MAGNET TYPE ROTARY  
ELECTRIC MACHINE

Examiner: D. Le  
Art Unit: 2834

Assistant Commissioner for  
Patents Washington, D.C

I hereby certify that this correspondence and all  
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872-9319 on:

April 3, 2003

Ernest A. Beutler  
Reg. No. 19901

REQUEST FOR COPIES AND RESETTING.

Dear Sir:

We have received the Final Rejection, dated March 26, 2003 based on two newly cited references, however no copies of them were sent with the Action. Please furnish copies to the undersigned and set a new date for response.

Also the Action states that applicants amendment required these new citations. The Examiner should have realized that the amendment was likely in view of the art cited and the Examiner should have followed MPEP Section 904.03 that provides " It is normally not enough that references be selected to meet only the terms of the claims alone, especially if only broad claims are presented; but the search should, insofar as possible, also cover all subject matter which the examiner reasonably anticipates might be incorporated into applicant's amendment." Therefore it is also requested that the Finality of the action be withdrawn so that applicant will not have to file a petition on this point.

Respectfully submitted:

Ernest A. Beutler  
Reg. No. 19901

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